JW, Ed de M. SM, PH, GRS, JP, BF

4/18/71

Mr. Ben Bagdikian
National Editor
The Washington Post
Washington, D.C.

Dear Ben,

Had I known the turn the news would take Friday when we spoke briefly, I'd have reminded you of the proof I have that Kleindienst and others in Justice are deliberate liars, contrive to rephrase questions to answer the unasked so that they may lie, precisely as today's cookie-jar editorial says, and that Justice evens commits perjury.

I do have all of this, in official correspondence with me/and or my lawyers and in court records where I am pro se. Some of it is in the final chapter of FRAME-UP, which I loaned you. I have copies of just about all of it in my possession. I also have the originals, but my publishers, whose concept of promotion and advertising is indistinguishable from that of the Hoover p.r. staff, left facsimiles out of the book when it ran under the planned number of pages and in several months have not been able to complete the making of slides for my use in planned public appearances (no one of which they have yet arranged in any event). In fact, it has been two weeks since I asked for a set of clear xeroxes for a Congressman who had expressed an interest and those also I do not have.

In my reporting days of the dimming past, these things would have been considered news. That to the Washington Post this has not been has been as disappointing as it was surprsising. However, all of this material is available for syndication. If the development of the very recent past do not make them newsworth -especially because of what they deal with - then there certainly is no "news" as it relates to dishonesty, misrepresentation, deception, even law violation, by government.

The subject matter is the suppression of official evidence in the JFK and Martin Luther King assassination, and I am talking about public, official evidence. I am aware of the media hangups on the subjects of political assassinations, but if Kleindienst has not given them the opportunity to escape their self-imposed captivity, it will never happen. What does this say of the possibility that a representative society can function at all? Can it when incontrovertible proof of this character is not "news"?

The perjury is plural, once committed by a Justice attorney, then suborned by Justice and by the head of an agency of Government, the National Archives. I have made both charges in court, both are months old, both are to this day undenied in any manner or forum. And, I think, are beyond possibility of doubt.

Justice has not been unable to retaliate. Two years ago it agreed to attempt to negotiate an out-of court settlement of a damage suit, the agreement being made in the office of Judge Roszell Thomsen. In the ensuing time they have failed to keep a single appointment, answer a single letter, do any of the things they promised by phone. So, I've been forced to ask Judge Thomsen to compel them to negotiate in good faith, to his satisfaction, or set the case for trial. The facts, as he noted to the federal attorney, are not in question, for I won an identical suit for an earlier period, one of the basic new

ecological decisions (on noise). The sole question is the extent of damage or, perhaps more precisely, evaluating it. The last two federal attorneys in Baltimore have agreed to this negotiation but neither took a single step in implementation of it. Meanwhile, essential witnesses become unavailable. Kleindienst needs no lecture on justice delayed.

I do hope that while we are still in what is only a semi-Orwellian era, the major elements of the press will stop kicking themselves in their asses with Agnew's foot and honestly face one of the major issues, what is not reported at all, what is reported inadequately, and what, when it is reported, is reported out of context.

With one aspect of the foregoing, let me note for you what was not news.

I filed a Freedom of Information suit against Justice and State for confiscated and suppressed public evidence used in the Ray extradition. I held a well-announced press conference, on the UPI wire. I made perhaps two-dozen personal calls to report what I would produce-after filing it in court. Three reporters showed up (and this included Kleindienst as liar). One, from the Post, filed about a column. Not unusually, you were over-up, and that story did not appear.

When it could no longer delay, Justice capitulated. That it thus admitted that Kleindienst had lied obviously was not news, for it was totally unreported. Then it stalled before finally delivering almost everything to me, again not news. Finally I went back to court and got a summary judgement (how common are they?) against Justice. Still not news, still not anywhere reported.

There is much more, please believe me. But I have learned my lesson: it is not news.

Yet I indulge the hope that by their excesses, endless lies, distortions, mis-prepresentations and general abuse of society and their positions, Mitchell, Hoover, Kleindinest and Nixon may yet make it news. If this time has come, I have what I describe and more.

The "New Left Notes" differ from the thousands of pages of FBI reports I have in two major respects: generally none are signed and generally all bear code identifications. I presume this is because these are of local origin and intended for distribution within the jurisdiction of the local office only. Yet it seems a bit odd to designate instructions as a "newsletter".

Should any of the foregoing interest you, I will be gone most of Tuesday, in Baltimore, where my fixed appointments are at WBAL: 2 p.m., TV news with Art Gibelman, 3.p.m. radio with a Mr, O'Connor.

Sincerely,

Harold Weisberg